



THE DOUBLE SIEGE

News Media in the Time
of COVID-19

Lockdown on Civil Liberties - II
A PUCL (Maharashtra) Series

Lockdown on Civil Liberties - II

The country-wide lockdown due to the Covid-19 pandemic and attendant issues has led to major violations of civil liberties and human rights in India. While some restrictions on rights may have been necessitated by the nature of the pandemic, we believe that a large number of violations were entirely excessive, arbitrary and totally avoidable. The impact of this curtailment of rights and of civil liberties has been felt across all sectors including the economy, education, health, media, prisons, employment, migrant workers, women, domestic workers, sex workers, prisoners and their access to justice etc.

Five months after, it has become palpably clear that the lockdown has also been used by the Government to push through undemocratic means laws and policies which are against the people.

In this context, PUCL Maharashtra has put together **‘Lockdown on Civil Liberties’**, a series of reports of the impact on these restrictions on various segments. While some of the reports focus on conditions in Maharashtra, others deal with a pan-India situation.

“The Double Siege: News Media in the Time of COVID-19” is the second in the series. This report focuses on the state of the news media in India and the curb on information. Freedom of the press seems to be under a double siege: from without by the State and its thriving band of storm troopers and from within by the owners of private media.

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Finally we thank Shrujana Niranjani Sridhar for the cover page design.

PUCL (Maharashtra)

4th September, 2020

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Introduction

Conjuring consent in a post-factual, post-truth scenario

Freedom of the press is under siege: from without by the State and its thriving band of storm troopers and from within by the owners of private media who have cut loose from the rule of law and due process, rendering scores of journalists at the precipice of precarity.

This seemingly relentless double assault, along with the withering away of vital judicial processes, has resulted in an unparalleled impasse for press freedom, in some ways more noxious than the dark days of the 1975-77 Emergency, but equally damaging to the people's right to freedom of speech and expression.

Information and transparency are key elements in any functioning democracy, more so during the current global socio-economic crisis. In the five months of a lockdown due to the global Covid-19 pandemic, the cumulative failure of years of mis-governance was laid bare in full public view.

The Union Government, in keeping with its general information policy, has, however, opted for a "need to know" approach as far as COVID-19 is concerned, with the government itself deciding the contours of "need". There is unaccountable silence on essential issues (the plight of migrant workers, for instance). Instead, garrulous trivialities and whimsical spectacles like the banging of plates have become the hallmark of this dispensation.

A largely compliant media, heavily dependent on State advertising, has become the unquestioning purveyor of 'official' information and of narrow nationalism. Prime time on television channels has replaced serious debate with rabid and dangerously inflammatory talk shows, ratcheting up of public opinion to divert and disguise serious issues. A case in point was the manner in which television anchors and reporters of prominent television channels competed with one another to cover the tragic death of hindi film actor Sushant Singh Rajput.

In marked contrast to this aggressive and unrelenting coverage, the media remained supine and failed to rigorously scrutinize government policies and actions on a range of issues, including environmental regulations; the PM-CARES Fund; the Galwan crisis; the domicile law in Kashmir; the prolonged economic crisis; the crisis of neglect in public health care; the questionable awarding of contracts to pharma companies for COVID-19 related drugs; the foisting of cases against victims and rights activists in connection with the Delhi violence and the precarious condition of prisoners in jails, including those accused in the Bhima-Koregaon cases.

Journalists who did question the administration were arrested, faced criminal charges or were intimidated. More than a hundred journalists across India have lost jobs or face wage cuts. The so-called powerful Fourth Estate has all but ignored the crackdown on journalists who have revealed administrative failure or remained criminally silent while field reporters are attacked. There is a collective failure of media organisations, including the statutory Press Council of India or self-regulatory authorities set up by broadcasting companies to respond effectively to these attacks.

The status of media freedom in India has been precarious for several years now, with the killing of journalists and increasingly vicious attacks, shrouded by near-total impunity¹. Since 2014, there have been more than 200 serious attacks on journalists in India, targeted for their investigative work. Not a single attack resulted in a conviction. In the latest attack, three journalists of Caravan magazine were beaten by a mob in North East Delhi on Aug 11². Till date, despite complaints submitted by the journalists, police have not even registered an FIR.

¹ Getting away with murder – A study on the killings of and attacks on journalists in India 2014-19, and justice delivery in these cases, Geeta Seshu and Urvashi Sarkar, Dec 2019, <https://www.thakur-foundation.org/report-on-attacks-on-journalists-in-india-2014-2019.pdf>

² 'The Caravan's journalists assaulted, sexually harassed in northeast Delhi' , Aug 12, Caravan <https://caravanmagazine.in/crime/the-caravan-journalists-assaulted-sexually-harassed-in-northeast-delhi>

In April 2020, India ranked at No 142 in a yearly global ranking on press freedom by the international press freedom body, Reporters Sans Frontières (RSF)³. India slipped two places down in the ranking from the previous year, based on a series of indices including media independence, environment, self-censorship, transparency and legislative framework. News reports have emerged of the extent to which the cosy relationship between the ruling BJP and the social media network Facebook in India influenced electoral campaigns and censored dissenting voices.

The situation is further exacerbated by the State's disregard for media freedom and complete indifference to the massive job losses in the media. This, combined with the lack of concern for the safety of journalists on the frontlines, has weakened and hollowed out the mechanisms for newsgathering. The casualty has been the media's authority to hold the powers-that-be accountable.

³ https://rsf.org/en/ranking_table

I

The Siege Without

For some years now, news-gathering and the resources for it have been given the lowest priority in newsrooms. The news media has long been criticized for its superficial coverage of gender, caste atrocities, the minorities, farmers and workers. Shouting matches, trivial trending posts on social media, fake debates and diversionary news on television dominate prime time attention. As media critic Sevanti Ninan said, the delegitimisation of mainstream media in the first five years of the Modi government was followed by co-option and self-censorship⁴.

Print media in India faced its worst ever crisis in the immediate aftermath of the lockdown, as distribution of newspapers stopped, forcing a suspension of printing of newspapers in Delhi, the national capital as well as in Mumbai, the business capital of the country. Social media shares on the Internet became the main source of information for locked in citizens.

State Regulations

The control over information continued in several forms throughout the lockdown period, aided by the combination of judicial pronouncements, regulatory notifications and lack of access to official information. It affected sustained coverage of crucial issues, including the government's policy on relief for migrant workers, on testing for Covid-19 and the availability of essential drugs.

On March 20, 2020, the Union Ministry of Electronics and Information Technology (MeiTY) issued an advisory to all social media platforms to 'inform users not to host, display, upload, modify, publish, transmit, update or share any information that may affect public order and unlawful in any way.'

⁴ How India's Media Landscape Changed Over Five Years, Sevanti Ninan, Aug 30, 2019
<https://www.theindiaforum.in/article/how-indias-media-landscape-changed-over-five-years>

Social media platforms, as intermediaries, must take action to immediately disable/remove such content, the advisory said. ⁵

While the advisory addressed social media platforms - a major disseminator of information, fake or real - the government brought established media houses on board.

On March 24, 2020, barely a few hours before announcing the nation-wide lockdown, the Prime Minister approached around twenty select media owners to publish positive articles about the pandemic.⁶ He said that 'it was important to tackle the spread of pessimism, negativity and rumour-mongering.' Media owners assured him that 'they will work on the suggestions of the Prime Minister to publish inspiring and positive stories.'

On March 30, the abject lack of access to information forced an informal group of health reporters in India to issue ten questions to the government on issues ranging from community transmission, testing, health care access, safety equipment and health insurance for health workers. ⁷

The questions remained unaddressed, as information regulation was preferred over transparency. Various Union and State government ministries issued notifications regulating the media under the guise of combating fake news and disinformation, armed with a Supreme Court order on March 31, 2020 by Chief Justice S A Bobde and L Nageshwar Rao in a petition to redress the grievances of migrant workers.

⁵ No. 16 (1)/2020-CLES dtd March 20, 2020, issued by Ministry of Electronics and InformationTechnology: Advisory to curb false news/misinformation on corona virus addressed to all social media platforms to urge users not to display any information that may affect public order or create panic or disturb tranquility and to disable/remove such content on a priority basis.

⁶ 'Speaking Positivity to Power', Sagar, March 31, 2020
<https://caravanmagazine.in/media/hours-before-lockdown-modi-asked-print-media-owners-editors-refrain-negative-covid-coverage>

⁷ 'Health reporters have 10 questions for the government as India's coronavirus crisis deepens', Health Reporters, March 30, 2020, <https://scroll.in/pulse/957613/health-reporters-have-10-questions-for-the-government-as-indias-coronavirus-crisis-deepens>

In this petition (Alakh Alok Srivastava vs Union of India), the Supreme Court's order glossed over the role of the Union Government in alleviating their conditions. Instead, the apex court adopted a status report of the Government that said the 'exodus of migrant labourers was triggered due to panic created by some fake/misleading news and social media'.

The Union Government wanted to smuggle in pre-censorship of news, bringing in what senior journalists termed a 'news emergency'.⁸ The government urged the Supreme Court to direct the media to publish nothing about the pandemic unless it was cleared by the Government first. A 39-page status report, signed by the Union Home Secretary Ajay K. Bhalla and submitted to the Supreme Court, stated:

In an unprecedented situation of this nature, any deliberate or unintended fake or inaccurate reporting either in electronic, print or social media and, particularly, in web portals, has a serious and inevitable potential of causing panic in large sections of society... any panic reaction by any section of society could not only be harmful for such (a) section but would harm the entire nation.

The Bench headed by the Chief Justice of India S.A. Bobde and including Justice L. Nageswara Rao, accepted this version of the government. The Bench observed:

The migration of large number of labourers working in the cities was triggered by panic created by fake news that the lockdown would continue for more than three months. Such panic driven migration has caused untold suffering to those who believed and acted on such news. In fact, some have lost their lives in the process. It is therefore not possible for us to overlook this menace of fake news either by (the) electronic, print or social media. Section 54 of the Disaster Management Act, 2005 provides for punishment to a person who makes or circulates a false alarm or warning as to disaster or its severity

⁸ Media After Covid: Why We Are Under a New 'Emergency', Paranjay Guha Thakurta, April 3, 2020, <https://freespeechcollective.in/2020/04/03/media-after-covid-why-we-are-under-a-new-emergency/>

or magnitude, leading to panic. Such person shall be punished with imprisonment, which may extend to one year or with fine.

While the apex court did not directly endorse the government's suggestion of pre-censorship and stated that it did not want to interfere with the free discussion about the pandemic, it still directed the media 'to refer and publish the official version about the developments'.

For added measure, it referred to Section 54 of the Disaster Management Act, which penalizes those who circulate "a false alarm or warning as to a disaster or its severity or magnitude, leading to panic."

Taking their cue from this order, various state governments came out with their own notifications. Ostensibly to deal with the problem of fake news, these notifications served warnings about the dissemination of 'unverified' news, i.e., news that did not emanate from official sources.

- On April 1, 2020, the Delhi government issued an order to monitor developments across all media to 'ensure that unverified news capable of causing panic is not disseminated' and to hold out the threat of penal action against defaulters.
- On April 2, 2020, the Assam Government constituted a committee 'for monitoring and checking of fake news in all forms of media.'
- On April 3, 2020, the Haryana government announced that, to 'tighten the noose around rumour-mongers spreading provocative and misleading messages' several dedicated teams at both State and District Level had been constituted to 'monitor Facebook pages, Twitter, YouTube, web portals, news channels, other social media platforms to nip those involved in circulating 'fake news', spreading sensationalism and misinformation about COVID-19 and to stay abreast of the situation so that panic is not spread among the people.'
- On April 4, 2020, the Sikkim government constituted a high-level fact-checking team to 'ensure unverified news capable of causing panic is not disseminated'.

- On April 10, 2020, the Mumbai police issued prohibitory orders under section 144 of the Criminal Procedure Code (CrPC) ‘for restricting any dissemination of information through various messaging and social media platforms which is found to be incorrect, derogatory and discriminatory towards a particular community, distortion of facts, causing panic and confusion among the general public, inciting mistrust towards government functionaries and thereby causing danger to human health or safety or a disturbance to public tranquility.’ The order was in place till April 24, 2020.
- On May 23, 2020, another order was issued, in force till June 8, 2020, which said that the ‘Admin’ of these messaging and social media platforms would be held personally responsible for any such information being disseminated from a group administered by them. The Admins had to report such information to the Police and offenders would be penalized under section 188 of the Indian Penal Code.

In May, news reports of the slip in India’s ranking by two places on the RSF world press freedom index from 140 in 2019, and, with its characteristic sensitivity to international opinion, the government criticized the RSF ranking for portraying a ‘bad picture’ of India to the world⁹. The government set up a central index monitoring cell, comprising government officials and journalists P Sainath and Rajat Sharma in May. The cell would ‘put in place a mechanism for States to come up with their own rankings of press freedom, coordinate with stakeholders and improve visibility of steps taken by government for journalists’.

Public’s Right to Information

The control over the public’s right to know was not just limited to regulating media access to information. Even the work of Information Commissions (ICs) was crippled during the lockdown. A report from the Satark Nagrik Sangathan (SNS) on the

⁹ ‘India slips in press freedom rankings; Javadekar slams report’, The Hindu, May 3, 2020 <https://www.thehindu.com/news/national/india-slips-in-press-freedom-rankings-javadekar-slams-report/article31494652.ece>

functioning of Information Commissions during the lockdown found that 21 Commissions, out of a total of 29, were not holding any hearings as of May 15, 2020.¹⁰ Only 7 of the 29 Information Commissions made provision for taking up urgent matters or those related to life and liberty.

Making a mockery of digital India, the websites of 11 Commissions out of 29, had no information/notification about the functioning of the Information Commissions during lockdown. The websites of 3 ICs – Bihar, Madhya Pradesh and Nagaland – were not accessible during the lockdown. Of the 29 ICs, commissions of Jharkhand and Tripura were found to have no Commissioners for varying lengths of time. They were completely defunct as the serving Information Commissioner in both retired during the period of the lockdown. Four of the 29 Information Commissions were functioning without a Chief Information Commissioner.

Crackdown on Media covering lockdown

Within days of the lockdown, media reports began trickling in about scores of migrant workers walking home, with several dying of starvation along the way. These reports completely failed to secure the attention of the Union Government. Instead, these uncomfortable reports prompted the administration and the police in several States and Union Territories, to penalize media reporting, citing the lockdown and prohibitory orders.¹¹

Since March 25, 2020, when the nation-wide lockdown was announced in India, police and the authorities have questioned, filed cases or arrested more than 50 journalists in India for reports on the sub-standard quality of personal protective

¹⁰ 'Right to Know, Right to Live - Status of Information Commissions in India during Covid-19 Crisis', Satark Nagrik Sangathan & Centre for Equity Studies, May 2020

¹¹ 'Media lockdown in the age of Covid, Free Speech Collective, May 3, 2020
<https://freespeechcollective.in/2020/05/03/media-lockdown-in-the-age-of-covid-19/>

equipment (PPE), quarantine conditions and on the plight of migrant workers and the lack of rations for them.

According to a report by the Rights and Risks Analysis Group (RRAG), a Delhi-based think-tank, around 55 journalists have had cases filed against them between March 25 and May 31, 2020.¹² The largest number of attacks on the media persons was reported from Uttar Pradesh (11), followed by Jammu & Kashmir (6), Himachal Pradesh (5), four each in Tamil Nadu, West Bengal, Odisha and Maharashtra, two each in Punjab, Delhi, Madhya Pradesh and Kerala and one each in Andaman & Nicobar Islands, Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Karnataka, Nagaland and Telangana.

According to a report in **The Wire**, there were at least 15 instances of journalists being arrested or charged in Maharashtra¹³.

The following are a few instances, illustrative of the manner in which media persons have been targeted for their reportage:

(i) Arrests

Journalists were arrested for posting tweets that questioned the administration.

- On April 27, journalist **Zubair Ahmed** working in the Andamans, posted a [tweet](#) to the Andamans administration: Can someone explain why families are placed under home quarantine for speaking over phone with Covid patients? Ahmed was referring to a report in the website Andamanchronicle about a family of four who were put into home quarantine because one of them, 70-year-old K A Rehman, merely called up a relative who had tested positive for Covid-19 to enquire about his health. For questioning the authorities, Ahmed was arrested u/s 188 (disobedience to order duly promulgated by public servant), 269 (negligent

¹² 'India: Media's Crackdown During COVID-19 Lockdown', June 15, 2020

<http://www.rightsrisks.org/banner/india-medias-crackdown-during-covid-19-lockdown-2/>

¹³ 'During Lockdown, Maharashtra Has Cracked Down on Journalists and Media', Sukanya Shanta, Aug 7, 2020 <https://thewire.in/media/covid-19-lockdown-maharashtra-crackdown-journalists-media-freedom-ncp-congress-shiv-sena>

act likely to spread infection of disease dangerous to life) and 505 (1) (publishing or circulating any statement, rumour or report) of the Indian Penal Code. If that was not enough, the Andamans administration also threw Sections 51 and 54 of the Disaster Management Act, 2005, at him. He managed to secure bail the next day.

- On April 24, **Andrew Sam Raja Pandian**, a digital journalist and founder of Simplicity.in, a Coimbatore-based news site, was [arrested](#) for publishing two reports, the first about corruption in the government food distribution and the second about problems faced by doctors in the city. He was charged under sections 188 and 505 (i) of the IPC and Section 3 of the Epidemic Diseases Act. Pandian was released on bail on April 28. Initially, the reporter and photographer of the reports under question, Jerald Aruldas and M Balaji, were detained and interrogated by police for over nine hours.
- In an [interview](#), Aruldas said, “The police did not hurt me or Balaji. We were not interrogated, just made to sit there for long hours. But it was still a very intimidating experience. There is an air of fear in the local media. Every media person is now scared of covering news related to COVID-19.”
- On April 16, police in Mumbai arrested journalist **Rahul Kulkarni of ABP Mazha** television channel for broadcasting a report of an internal memo on preparations by railway authorities to start long distance train services. The report, police said, was responsible for the assembly of scores of stranded migrant workers heading to the Bandra train terminus to purchase tickets. An FIR was also lodged against a political activist Vinay Dubey, for uploading videos about getting stranded migrants home.

The journalist was released on bail and the channel issued a [statement](#) denying any link with its broadcast and the assembly of people. The channel said “the story was broadcast in public interest and on the basis of valid documents and information and there was no conceivable

way in which the crowds that gathered at the station from around 3:45 pm could be linked to its stories aired.”

On Aug 9, 2020, the Bandra police filed a ‘C’ summary closure report giving a clean chit to Kulkarni. The police report said Kulkarni’s broadcast did not mention the railway station and was not responsible for the false news.

- On May 7, **Dhaval Patel**, the editor of a news portal ‘*Face of the Nation*’ was charged with sedition for writing that the number of Covid-19 cases was on the increase in Gujarat and the state’s lack of leadership was noticed in Delhi. Sedition, an archaic colonial law, attracts a punishment of upto life imprisonment. Patel was arrested and granted bail only on May 27.
- On July 22, **Gammat Bhandari**, journalist and editor of a Marathi newspaper from Beed district ‘*Parshwabhoomi*’, was arrested for a report on a policeman who violated regulations during lockdown to travel from Thane district to Beed district without quarantining himself. Bhandari was booked under several sections of the Indian Penal Code and the Epidemic Diseases Act¹⁴.

(ii) FIRs

First Information Reports (FIRs) were lodged against journalists and prominent citizens who raised uncomfortable issues.

- On April 14, journalist **Ashlin Mathew** of The National Herald, former IAS officer **Kannan Gopinathan** and senior advocate Prashant Bhushan, were [booked](#) by Rajkot police for “posting and retweeting” a tweet on March 28 that allegedly “insulted a religion with intention to create fear or alarm among people”. An FIR was lodged at Bhaktinagar police station on April 12 against them under sections 295 (injuring or defiling place of worship with intention to insult

¹⁴Surge in harassment of Indian reporters over coronavirus coverage, May 27, 2020
<https://rsf.org/en/news/surge-harassment-indian-reporters-over-coronavirus-coverage>

the religion of any class), 505 1 (B) (intent to cause fear or alarm among public), 35 (acts done by several persons in furtherance of common intention) and 120 B (criminal conspiracy) of the IPC.

The offending tweet, posted on March 28, 2020, by Prashant Bhushan, retweeted a tweet by Union Minister Prakash Javadekar with his photo saying “I am watching ‘Ramayana’, are you? (sic)” to which Bhushan commented “As crores starve and walk hundreds of miles home due to forced lockdown, our heartless ministers celebrate consuming and feeding the opium of Ramayana and Mahabharata to the people (sic)”. Bhushan’s tweet, was allegedly retweeted by Gopinathan and Mathew, the FIR said.

The complainant, identified as an army veteran, Captain Jaidev Joshi, took offence to the use of the word ‘opium’ in the tweet! According to the news report, V K Gadhvi, officer-in-charge of Bhaktinagar Police Station, the case was transferred to the Rajkot Special Operations Group (SOG). Javadekar deleted his tweet but the FIR against the trio is still pending.

- On April 1, 2020, an FIR was lodged against *The Wire* and one of its founding editors, **Siddharth Varadarajan**, for allegedly posting false news about the participation of Uttar Pradesh Chief Minister Yogi Adityanath in a Ram Navami celebration in the midst of a nation-wide lockdown. The complaint, which picked up part of an article about the Adityanath government’s plans to go ahead with religious gatherings in Ayodhya and UP chief minister’s own participation was widely reported in the media. A second FIR was lodged subsequently. Both FIRs do not mention ‘fake news’ or any tweet.

The IPC sections cited in the first FIR were for “creating or promoting enmity, hatred or ill-will between classes” and “disobedience to order duly promulgated by a public servant’ while the second FIR pressed charges under two sections of the IT Act dealing with impersonation and the transmission of obscene material, says a detailed [report](#) in *The Wire*. UP

police drove from Ayodhya in Uttar Pradesh to Delhi, to deliver summons relating to complaints on April 11, though there was a nationwide lockdown on travel!

- On June 13, an FIR was lodged against **Supriya Sharma**, the Executive Editor of **Scroll.in** and the news website's Chief Editor in Ramnagar police station, Varanasi, Uttar Pradesh, under IPC sections 269 (negligent act likely to spread infection of disease dangerous to life), 501 (printing or engraving matter known to be defamatory) and under the SC/ST Act. The FIR was filed on the basis of a complaint by Mala Devi, who Sharma had reportedly quoted in a report entitled 'In Varanasi village adopted by Prime Minister Modi, people went hungry during the lockdown' published on **Scroll.in** on June 8.

According to **Scroll.in**, Sharma had [interviewed](#) Mala Devi, a resident of Varanasi's Domari village as part of a series from Varanasi district on the impact of the lockdown to contain the spread of the coronavirus. Domari village has been adopted by the Prime Minister under the Sansad Adarsh Gram Yojana. In the interview, Mala told **Scroll.in** she was a domestic worker and experienced food distress during the lockdown since she did not have a ration card.

According to the FIR, Mala Devi in her complaint to the police alleged Sharma misrepresented her comments and identity. She claimed she was not a domestic worker, but worked as a sanitation worker at the Varanasi city municipality through "outsourcing".

In a statement the website said that it 'stands by the article, which has been reported from the Prime Minister's constituency. This FIR is an attempt to intimidate and silence independent journalism, reporting on conditions of vulnerable groups during the Covid-19 lockdown.'

(iii) Show-cause Notices and Interrogations

Various district administrations issued show-cause notices against journalists for their reports. In clear attempts at intimidation, journalists were [interrogated](#) for their reports on sub-standard PPEs.

- On March 26, two days after Indian Prime Minister Narendra Modi announced a national lockdown to control the spreading of COVID-19, Hindi-language daily **Jansandesh Times** [reported](#) that a tribe in Varanasi, Uttar Pradesh state, didn't have enough to eat due to the sudden announcement and that children were eating grass. The same day, the magistrate of Varanasi district, Kaushal Raj Sharma, sent a legal notice to the newspaper claiming that part of its report was false and "sensationalized." He [demanded](#) the newspaper issue an apology within 24 hours or he would take legal action against the authors, **Vijay Vineet** and **Manish Mishra**.
- On April 26, **Neeraj Shivhare**, a journalist based in Dantewada, Chhattisgarh, was given a showcause notice by a sub divisional magistrate for his report on his [website **Bastar Ki Aawaz**](#) about the plight of a woman who had to sell her fridge to buy rations. According to a [report](#) in **Newslandry**, the notice says:

"The whole nation is dealing with the pandemic and publishing such posts can create an atmosphere of fear in the public. The post has damaged the image of the administration, therefore this action of yours has disregarded the order of administration and comes under the category of punishable offence."

The notice said the story was 'misleading' but as the report later pointed out, the story was true. A supporting video as well as the quotes from the woman and her husband confirm that it was only after the story broke that the administration woke up to their plight and made arrangements to supply them with milk for the child!

- On April 30, **Manish Pandey**, a journalist of Hindi news channel **News1 India**, was interrogated by the Special Task Force of Uttar Pradesh police for his [report](#) on the poor

quality of personal protective equipment (PPE) kits supplied to eight hospitals and medical colleges in the state. The interrogation, the news channel [said](#), went on for more than an hour and police tried to find out the source of his information.

- On May 11, 2020, Mahendra Singh Manral, a reporter with the **Indian Express** in New Delhi, was [questioned](#) by Delhi police for his report on the alleged doctoring of an audio clip attributed to Tablighi Jamaat chief Maulana Saad. The journalist was summoned for questioning on May 10, though the newspaper carried a statement issued by the police denying the contents of the *The Indian Express* report relating to the clip. He was asked to join the police investigation on Monday or face legal action under Section 174 of the Indian Penal Code.

Censorious climate affects all news

In the censorious climate of the lockdown, there have been instances of serious intimidation of the media for reports not related to the Covid-19 pandemic.

Sand-mining mafia kill journalist : In Unnao, Uttar Pradesh, journalist **Shubham Mani Tripathi** (25) was shot dead, allegedly by a sand mining mafia operating in the region. Tripathi was the district correspondent for a newspaper named **Kampu Mail**, published from Kanpur. He had written a few reports on land grabbers and, in a Facebook post, he had expressed fears that they might kill him.

Journalist arrested : On Aug 18, 2020, journalist **Prashant Kanojia** was picked up by Uttar Pradesh Police from his residence in south Delhi for allegedly tweeting a morphed image of a poster by Sushil Tiwari, a member of the right-wing Hindu Army about the entry of dalits and OBCs into the Ram temple in Ayodhya¹⁵. An FIR by Dinesh Kumar Shukla was registered

¹⁵ Journalist Prashant Kanojia arrested by UP Police for allegedly sharing morphed post on Ram temple

against him at the Hazratganj police station. The original poster was about the UPSC examinations. Kanojia was arrested last year by UP police for posting a video on Twitter of a woman talking to reporters about her marriage proposal to UP Chief Minister Adityanath. He was released on an order of the Supreme Court on June 19, 2019. Kanojia is yet to get bail.

Journalists attacked : On August 11, 2020, three journalists of **The Caravan** magazine who were investigating reports related to the Delhi violence, Prabhjit Singh, Shahid Tantray and a woman journalist, were attacked by a mob in the Subhash Mohalla locality of northeast Delhi. Tantray barely escaped being lynched after the mob viciously targeted him when they realized he belonged to the minority community. Members of the mob sexually assaulted the woman journalist. One member of the mob, dressed in a saffron kurta, claimed he was a 'BJP general secretary,' a tweet from Caravan magazine said. Shockingly, no FIR was registered, more than a day after the incident. Police reportedly admonished the journalists for going to the area for their investigative work.

Chinese Apps banned: national security

The Galwan border crisis with China resulted in digital sabre-rattling, with 59 Chinese apps, including several popular apps like Tiktok and wetransfer, being banned in India on June 29 2020. A government press release said:

The Ministry of Information Technology, invoking its power under Section 69A of the Information Technology Act read with the relevant provisions of the Information Technology (Procedure and Safeguards for Blocking of Access of Information by Public) Rules 2009 and in view of the emergent nature of threats has decided to block 59 apps since in view of information available they are engaged in activities which is prejudicial to sovereignty and integrity of India, defence of India, security of state and public order.

<https://scroll.in/latest/970703/journalist-prashant-kanojia-arrested-by-up-police-in-connection-with-some-tweets-reports>

Kashmir: Continuing Intimidation and Curtailment of Internet Access

In **Kashmir**, FIRs were registered against three journalists in the span of five days, including under the draconian Unlawful Activities (Prevention) Act (UAPA). Already facing a repressive and debilitating Internet shutdown that has made routine work almost impossible for the local media, the three cases were clearly intending to frighten local journalists and send a message to them to behave or else...

- On April 18, photojournalist **Masrat Zahra** was arrested by the Cyber Police Station (Kashmir Zone), under Section 13 of the draconian Unlawful Activities (Prevention) Act, and Section 505 of the Indian Penal Code for uploading allegedly “anti-national” posts with the criminal intention to induce the youth and promote offences against public tranquility. No specific post was mentioned and the photojournalist was only identified as a ‘Facebook user’ in the police press release. Zahra had been filing photographs of Kashmir under the lockdown on her Facebook page and had done a [report](#) on the plight of Arifa Jan, the widow of a man who was killed by the Indian security forces in 2000.
- On April 21, **The Hindu** correspondent in Srinagar, **Peerzada Ashiq**, was questioned by the Cyber Police in Srinagar and later by the Anantnag police for his report “[Kin allowed to exhume bodies of militants in Baramulla](#)” published by **The Hindu** on April 19. Police said the news was ‘fake’ and registered an FIR on April 20. The police press release also echoed the ‘annoyance’ of the authorities that their ‘version’ was not sought: “The news was published without seeking confirmation from the district authorities,” the press release said.
- On April 22, journalist **Gowher Geelani** was [booked](#) by the Cyber police, Srinagar, for allegedly ‘indulging in unlawful activities’ through his posts and writings on social media. Cyber police, which merely identified him as ‘an individual namely Gowher Geelani’, said he was indulging in unlawful

activities through his posts and writings on social media platform which are prejudicial to the national integrity, sovereignty and security of India".

In Kashmir, the control over Internet access and the low 2G Internet broadband speed had severely hampered the dissemination of information and affected the medical fraternity, students dependent on online classes and the media. A petition was filed before the Supreme Court by the Foundation for Media Professionals (FMP) seeking restoration of 4G Internet services in the Kashmir Valley in the wake of the Covid-19 pandemic.

However, on May 11, 2020, the Apex Court refused to pass an order to restore 4G Internet in the Valley, preferring to [direct](#) a special committee to examine the issues raised by the petitioners. But even this did not happen, constraining the FMP to file a Contempt Petition. But the Supreme Court merely directed the Union Ministry of Home Affairs (MHA) and the Government of Jammu and Kashmir to file a counter-affidavit in response to the Contempt Petition.

In its counter-affidavit, the MHA said that the Special Committee met on July 10 and decided against restoring the Internet. Its report said: 'Based on consideration and wide-ranging assessment of the prevalent situation in this sensitive region', no further relaxation of Internet services including 4G services could be carried out at present'.

The next meeting of the Special Committee is two months later, leaving the people of Kashmir still hanging fire.

Censorship of Environmental campaigns

In June 2020, three environmental campaign sites powered by youth - letindiabreathe.in, fridaysforfuture.in and thereisnoearthb.com - found that the sites were blocked, in the middle of their campaign on the draft Environment Impact Assessment (EIA) 2020. Fridays For Future and Let India Breathe had received messages from the National Internet Exchange of

India (NIXI), which handles the operations of [the](#) in. registry for the government, that their domain was placed on hold. According to the Internet Freedom Foundation, which [took up](#) their case, they were not given any reasons or any options for a hearing.

On July 8, 2020, Delhi police issued a notice to the [fridaysforfuture.in](#) site under the draconian Unlawful Activities (Prevention) Act, 1967 (UAPA), for sending 'multiple emails' to the Union Environment Minister Prakash Javadekar on the draft EIA. After a furore, the notice under the UAPA was dropped on July 24 and Delhi police said the inclusion of UAPA provisions were 'erroneous'. However, a modified notice under Section 66 of the Information Technology Act, was issued to the site.

On its social media accounts, Fridays For Future on Monday said that it had launched a feedback process on the draft EIA consultation but the website was inaccessible from July 10, 2020. All the sites were unblocked on July 16, 2020.

In **Goa**, Valpoi police [detained](#) villagers Shubham Shivolkar, Ram Melekar and Pandurang Shivolkar while they were preparing to address a press conference on the proposed IIT project under the banner of Melauli Panchkroshi Gram Bachav Andolan at the Jalmi Sateri devasthan in Melauli.

According to Valpoi PI Sagar Ecoskar, the villagers were detained for violating Section 144. The villagers, though, said they never violated any guidelines. Instead, there were only four people who were addressing the press conference with face masks and maintaining proper social distance.

Media policy and the advertising carrot

Government policy on advertising is the least publicly scrutinized of its regulatory mechanisms. Aside from tenders and announcements, full-page advertisements and impact features on government achievements, often with pictures of the Prime Minister, are the order of the day. This largesse is awarded selectively, despite advertisement policies on empanelment of

media companies. While newspapers in Kashmir have been denied government advertisements for several years, three prominent newspapers in India – The **Times of India**, **The Hindu** and **The Telegraph** were denied government advertisements in 2019, before the general election, for publishing critical reports on the Rafale deal¹⁶.

The Covid-19 pandemic exposed the Indian media's dependence on government advertising. According to reports from industry bodies, the government owed media companies upto Rs 1800 Crores in advertising. No assurances on payment were forthcoming.

The policy for print media, announced on July 23, 2020, effective Aug 1, 2020, detailed the criteria for empanelment of media houses for government advertising through the Bureau of Outreach and Communication¹⁷. The government's thrust was towards 80 per cent of advertising for regional, non-English language print media. The policy for electronic media announced earlier, gave 40 per cent for regional television channels. The policy for social media platforms (announced in May 2020), said auctions would be followed by contracts with selected platforms for disbursement of government advertisements.

While carrying of content deemed anti-national, obscene, indecent, antisocial, violative of communal harmony and national integrity etc., or deemed objectionable in any form would invite suspension of the contract, the print media policy stated that the government would avoid advertising in companies that are deemed anti-national.

Put together, the media policies signal a shift towards social media companies, not necessarily news media platforms, that have 25 million unique monthly users. Other preferred media are outdoor and audio-visual media, thereby enabling the government to bypass established news media. Already, the

¹⁶ Modi government freezes ads placed in three Indian newspaper groups, Devjyot Ghoshal, June 28, 2019, <https://in.reuters.com/article/india-media-idINKCN1TT1R6>

¹⁷ Accessed from BOC website

http://www.davp.nic.in/writereaddata/Final_Print_Media_Advt_Policy_Revision_dated_23072020.pdf

Modi government has used radio and social media extensively to broadcast its uni-directional messages. The advertising on offer only increases its influence.

II

The Siege Within

Partisan Media

There are several instances of the polarized and partisan manner in which sections of the media covered important developments throughout the lockdown, ultimately affecting the free dissemination of fair, accurate and verified news to the public. The coverage of the Tablighi Jamaat was a stark example.

Since March, the news media was dominated by allegations that the Tablighi Jamaat in Delhi had contributed to the spread of the pandemic. A majority of the coverage was extremely Islamophobic and fed into inaccurate and biased reports. Using words like corona jihad or corona terrorism, they fed into peoples' fears,

Businessline newspaper used Media Cloud, an open source media analysis platform to study the coverage from March 20 to April 27. It detected 11,074 stories published from 271 media sources with the term 'Tablighi Jamaat' during the period, of which 94 per cent were English stories that appeared in the print media. Its report said that the Tablighi Jamaat incident 'provided an opportunity to some to generate fake content on social media connecting Muslims with Covid-19. Some news media platforms played an insidious role by covering this content.' Around 1.5-10 per cent of the stories had words with negative connotations such as 'violating', 'crime', 'spitting', 'terrorist', and '*jihad*'. These stories fed into an epidemic of Islamophobic fake news and hate speech.¹⁸

The fallout of this propaganda was disastrous for members of the Tablighi Jamaat. While they were demonized and derided on social media, some faced isolation and attacks, a marked difference

¹⁸ 'Tablighi Jamaat: Impact of media narratives, Soundarya Iyer Shoibal Chakravarty, Hindu Businessline, Aug 7, 2020, <https://www.thehindubusinessline.com/opinion/tablighi-jamaat-impact-of-media-narratives/article32297022.ece>

from the treatment meted out to similar religious gatherings in Hindu temple sites, like Tirupati or Puri.

A judgement by Justices TV Nalawade and Justice MG Sewlikar of the Aurangabad bench of the Bombay High Court quashed the FIRs lodged against 29 foreign nationals booked for alleged violation of their tourist visas under various sections of the Indian Penal Code, Epidemic Diseases Act, Maharashtra Police Act, Disaster Management Act and Foreigner's Act. Their order pointed out that 'there was big propaganda in print and electronic media against the foreigners who had come to Markaz Delhi and an attempt was made to create a picture that the foreigners were responsible for spreading Covid-19 in India. There was virtually persecution against these foreigners.'¹⁹

Palghar lynching

The gruesome lynching of two sadhus and their driver (Kalpvrush Giri and Sushil Giri and driver Nilesh Telgade) in Palghar, Maharashtra on April 16, gave rise to completely unverified and untrue messages on social media that the mob were members of the Muslim community. The three men, who were travelling to Gujarat for a funeral and used back roads instead of the Mumbai-Ahmedabad highway, became prey to a mob near Gadchinchale village, under the Kasa Police jurisdiction in the tribal district of Palghar. Three days later, 'videos of the incident on social media were amplified with an insinuation that it was a communally-motivated crime committed by members of the Muslim community'²⁰.

¹⁹ Bombay HC said tablighi jamaat foreigners were made scapegoats, Aug 22, 2020, <https://www.livelaw.in/news-updates/bombay-hc-says-tablighi-jamaat-foreigners-were-made-scapegoats-quashes-firs-against-them-criticizes-media-propaganda-161793#.X0C6hLoCYcd.whatsapp>
<https://www.livelaw.in/news-updates/bombay-hc-says-tablighi-jamaat-foreigners-were-made-scapegoats-quashes-firs-against-them-criticizes-media-propaganda-161793#.X0C6hLoCYcd.whatsapp>

²⁰ Palghar lynching incident falsely communalised on social media, Jignesh Patel, April 20, 2020
<https://www.altnews.in/palghar-lynching-incident-falsely-communalised-on-social-media/>

When this was conclusively disproved and the Maharashtra government put out messages that none of the accused belonged to the Muslim community, the target shifted to Christian missionaries and political activists. Despite extensive coverage in the media, it also became an opportunity for the Republic TV owner-anchor Arnab Goswami to focus on the identity of the sadhus (Hindu). The alleged silence of well-known media sites like Wire and Scroll on the 'communal angle' to the incident and to attack Congress-I leader Sonia Gandhi.²¹ Other media houses like Zee News and Times Now followed suit with the former blaming Christian missionaries and the latter saying the killings had an 'ultra left' link²².

On April 23, 2020, a preliminary enquiry report²³ from PUCL Maharashtra said:

PUCL Maharashtra notes with grave concern, that the aftermath of this incident has fuelled dangerous communal propaganda. We learn that sections of the media, prominent BJP spokespersons and leaders and online trolls owing allegiance to the right wing and/or the BJP, have indulged in propaganda and made wild and totally unsubstantiated allegations,

Initially, because two of those killed belonged to a Hindu religious sect, these elements blamed Muslims for the crime. Subsequently, Maharashtra's Home Minister Anil Deshmukh issued a statement that none of the accused belonged to the minority community!

After reports that the assailants were tribals, the propaganda has shifted to attack left political parties and Christian missionaries! Prominent BJP leaders and spokespersons have made allegations in multiple social media tweets and posts

²¹ Palghar Lynching: Lutyens Media Hypocrisy On Full Display | The Debate With Arnab Goswami, April 21, 2020 <https://www.youtube.com/watch?v=X8Isj6QfG8w&bpctr=1599016488>

²² <https://twitter.com/TimesNow/status/1257939903452594178>

²³ Palghar lynching: Triad of Rumour, Fear and Hate Propaganda, A PUCL Maharashtra report, April 23, 2020

about the involvement of left parties like the CPM and adivasi rights group Kashtakari Sanghatna in the incident. These were also echoed in the RSS mouthpiece, The Organiser.

Members of the Congress party filed multiple FIRs against Goswami for his attack on Sonia Gandhi in Maharashtra, Madhya Pradesh, Telangana, Rajasthan and Chhatisgarh. On April 24, he was granted relief from coercive action in his petition before the Supreme Court. On June 30, he was granted interim relief by the Bombay High Court, which suspended two FIRs against him for allegedly making provocative and inflammatory statements over the incidents of lynching at Palghar and gathering of migrant workers outside Bandra railway station in Mumbai.

On Aug 31, 2020, three police constables present during the horrific incident were dismissed from service and two more were compulsorily retired. At least 28 accused were granted default bail.

Journalists: The new precarity

Scores of journalists have lost their jobs in the last five months. In the prevailing atmosphere of job insecurity, poor safety measures for covering the pandemic, and the threat of penal action for factual writing and reporting, journalists have almost been rendered redundant.

The news media was designated as an essential service and journalists had to 'work from home', do field reporting and travel to their workplaces, without a break. Even as they risked their lives to cover the pandemic, minus adequate safety PPEs and facilities, working long hours and travelling extensively to cover the plight of migrant workers, they were told (some over WhatsApp calls) that their services were no longer needed.

On July 31, 2020, a journalist [died](#) by suicide in her home in Delhi. Police said no note was found but her family said she was depressed at losing her job as a television anchor. Several others, across India, have succumbed to the Covid-19 virus.

Barely two weeks into the lockdown, newspaper houses began initiating unilateral wage cuts, imposed illegal furloughs and extracted “resignations” from scribes. More than a thousand journalists have lost their jobs and others face steep salary cuts and extreme job insecurity. Information of job losses in non-English media has been slow in coming but a detailed listing of all the reported instances of cutbacks in the newsroom reveals that salary cuts were first effected in media houses, followed by retrenchments and enforced furloughs.²⁴

The blood-letting has been brutal and across the board. Leading newspapers like ***The Times of India, Indian Express, Hindustan Times, The Hindu and The Telegraph*** followed their wage cuts with abrupt terminations and “resignations”. In some media houses, journalists were forced to resign with barely a month’s wages as notice and given barely three hours to submit their resignations. It was as if these self-styled upholders of the nation’s conscience had never heard of due process of law.

The Network of Women in Media India (NWMI) started a jobs initiative, a series of webinars and a survey to gather data on the impact of the pandemic on the financial security of journalists – both freelancers as well as staffers²⁵. More than 40 per cent of the respondents (16) had either lost jobs during the COVID-19 crisis, experienced pay cuts or sent on unpaid furlough. Nearly 35 per cent of those who were informed about sackings or pay cuts received the information through an office e-mail, while nearly 15 per cent received a phone call and only 10 per cent were called for a one-on-one meeting. There were also cases where employees only discovered the news when they received revised pay cheques, with no other official communication from their organisations.

²⁴ ‘Lay-offs and cutbacks in Indian newsrooms 2020: What we know’, Cyril Sam, April 14, 2020 <https://medium.com/news-covid19/lay-offs-and-cutbacks-in-indian-newsrooms-2020-what-we-know-bdba9dec1644>

²⁵ The COVID 19 pandemic and the media’s comorbidities, <http://nwmindia.org/component/k2/the-covid-19-pandemic-and-the-media-s-comorbidities>

Here are two telling accounts of the manner in which major media houses behaved in the most unethical manner.

Ashish Rukhaiyar, markets editor of The Hindu in Mumbai had been asked to put in his papers on June 19, 2020. He wrote a post on 3 August 2020.²⁶ An excerpt:

Are you in such a dire situation that while on one hand you boast of a history and legacy that goes back to the pre-independence era and suddenly you can't afford a few employees for even two months!

That speaks more of the financial mismanagement or lack of vision of the business side and management than journalists who were busy chasing stories for you. But we didn't really hear of an editor or a CEO lose his job in the pandemic. But, we did hear about hundreds of reporters suddenly finding themselves unemployed.

Kavita Iyer, associate editor of The Indian Express, Mumbai, wrote an email to her colleagues²⁷:

Having spent some time reflecting, I know I don't feel bitter at what happened. This letter is neither plaintive nor resentful. I don't even feel indignant. Everything is now par for the course. Companies will do what they must to survive. What will be the creature that survives, this is the only frightening part. Had I received a call a few days in advance, explaining that the inevitable is about to happen, that this is a business decision with no bearing on the work I do, I would have still been unhappy to exit, but would have retained my pride in this organisation and its commitment to humanity. Sadly, we are all now a little less human and a little more virus.

²⁶ 'What would you have lost if a person was allowed to go with dignity?', Ashish Rukhaiyar Aug 3, 2020, <https://medium.com/news-covid19/what-would-you-have-lost-if-a-person-was-allowed-to-go-with-dignity-3eebb6f9a576>

²⁷ 'Resign or be terminated is not really a choice once Option A and Option B for severance pay are explained', Kavita Iyer, July 30, 2020, <https://medium.com/news-covid19/resign-or-be-terminated-is-not-really-a-choice-once-option-a-and-option-b-for-severance-pay-are-ee68badb8ab4>

Legal challenges

On April 27, 2020, the Supreme Court of India issued notices to the Union Government, the Indian Newspaper Society and the News Broadcasters' Association to respond to a petition filed by the Brihanmumbai Union of Journalists, the Delhi Union of Journalists and the National Alliance of Journalists against media houses that had retrenched employees or forced them to take pay cuts.

The petition quoted the advisory issued by the Labour Ministry in the context of the pandemic, asking employers not to lay off employees during this period. It also pointed out that the Prime Minister, too, had made similar appeals, saying that employees should not be punished for the lockdown.

On March 23, 2020, a Union government advisory was issued to 'all public and private companies to ensure that they do not cut salaries of their staff or resort to layoffs of their employees amid the lockdowns imposed to curtail the spread of COVID-19'. This had been followed by a Home Ministry order dated March 29, 2020, that said: "All the employers, be it in the shops and commercial establishment, shall make payment of wages of their workers, at their workplace, on the due date, without any deduction, for the period their establishment are under closure during the lockdown."

The Indian Newspaper Society and the News Broadcasters Association, in separate affidavits, have claimed that they suffered major economic losses due to the lockdown and have also lost advertising revenue, between Rs 1500Cr to Rs 1800 Cr that is [due to them](#) from government advertising. The former even rejected the authority of the government to pass orders to employers to pay wages under the Disaster Management Act, 2005, stating that there was nothing in the act to 'direct employers to make payment to their workers, without any deduction, during the period of lockdown.'

If industry bodies remained uncaring and defiant, media organisations have not fared any better. The Editors Guild of India has maintained a radio silence on the issue, even as

journalists questioned the complicity of editors in perpetrating these unethical acts. The Press Council of India, a statutory body which has a mandate to examine press freedom, albeit with limited powers, woke up to the terminations only in **The Hindu**, taking suo moto cognizance of the threat to layoff over 20 journalists from its Mumbai bureau.

Comments were called from the management of The Hindu. Meanwhile, over 20 employees from the Mumbai, Karnataka and Chennai bureaus of the *Hindu* have sent a legal notice to the company challenging their terminations²⁸.

The latest round of job losses in the media, along with the collapse of print media and the marked shift towards online media is all set to permanently alter working conditions for journalists in India. Freelancing and casualization in the gig economy is only going to increase and journalists are ill-prepared for this new normal.

As it is, over two decades of contractualisation has rendered the conditions of working journalists immensely vulnerable and has resulted in a very weakened and unorganized work-force. Hard-fought for laws that protected them, like the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955, and The Industrial Disputes Act, 1947, are being consigned to the dustbin of history, in keeping with the Union Government's determination to replace 44 Labour Laws with four Labour Codes. The so-called 'ease of business' hailed by the industry, will facilitate even further "flexibility of labour", aka "hire and fire".

In any case, on May 18, 2020, following a Supreme Court order barring Governments from taking any coercive action against companies not following the Home Ministry's order on wage payment, the March 23 notification was dropped, essentially throwing all workers in organized employment under the bus. Media workers can only bear mute witness to this debacle.

²⁸ 'Proper and legal dues not paid': Twenty terminated employees send legal notice to the Hindu , Newslaundry, Aug 19, 2020

III

Conclusion

Dire need to combat regulation and censorship; protect independent media and preserve freedom of expression

The crisis of the media is a crisis for the democratic right to freedom of expression and information. The media has a responsibility to society to function without fear or favour. Journalists are its foot soldiers, its frontline warriors for information.

The Covid-19 pandemic is closing in on a million deaths all over the world. It has spawned immense anxiety, caused economic havoc, accelerated the breakdown of overburdened and underfunded public health care and laid bare the abject failure of governments across the globe in dealing with the crisis.

Until July 4, 2020, an estimated 971 persons lost their lives due to non-Covid related causes, including over 400 migrant workers who lost their lives in accidents while travelling back home or due to starvation, according to a public database maintained by researchers²⁹. On May 8, 16 workers died when a goods train crushed them when they fell asleep in exhaustion on the railway tracks near Aurangabad; others died after police beat them for venturing out during the lockdown, were denied timely medical care or died by suicide.

Undoubtedly, there were stirring reports of courage and resilience, of the long journeys undertaken by people to travel to their homes, of friendship and solidarity. The policy decisions that led to these extraordinary acts cannot be obliterated. There

²⁹ The database is maintained voluntarily by [Aman](#) (Assistant Professor of Legal Practice at Jindal Global School of Law), [Kanika Sharma](#) (PhD student at Emory University), [Krushna](#) (PhD student at Syracuse University) and [Thejesh GN](#) (Public Interest Technologist), with support from [Roadscholarz](#), a group of freelance scholars and student volunteers interested in action-oriented research. <https://thejeshgn.com/projects/covid19-india/non-virus-deaths/>

is much the media needs to examine. For instance, reports of caste discrimination faced by migrant workers in quarantine centres, such as [this](#), or of the segregation of patients on the basis of religious denomination, such as [this](#), were few and far between.

Today, there is a crucial need for an informed and participative public to deal with the pandemic and its aftermath. A plethora of digital startups and independent, individual and collective, efforts by journalists have stepped in to fill the gap. Using social media platforms, despite limited reach and the ever-present threat of censorship and shutdowns, they continue to tell the stories that matter.

While they spell hope, the propaganda juggernaut is moving inexorably along, laying waste established principles of journalism in the process. The trivialization of news events makes a daily spectacle of reality while partisan media, along with the mushrooming fake news factories, are a potent cocktail of disinformation.

The state in its current neo-liberal saffron avatar has turned into a ruthless surveillance and punitive machine for crushing all dissent. The democratic rights of the people have been trampled upon and the plight of the most marginalized is disregarded while government policies, including tax breaks and subsidies, brazenly enrich plutocrats.

We have already experienced a dangerously shrinking space for dissent. Self-censorship is slowly becoming the new normal. In this context, every effort to speak truth to power must be assiduously nurtured and protected.